

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DUC VAN VU,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C05-0641-JCC-MAT
(CR04-0180-JCC)

ORDER OF DISMISSAL

The Court, having reviewed petitioner's 28 U.S.C. § 2255 motion to vacate, respondent's objection, the Report and Recommendation of the Hon. Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's 28 U.S.C. § 2255 motion to vacate is DENIED, and this action is DISMISSED with prejudice;
- (3) The Clerk is directed to send copies of this Order to the parties and Judge Theiler.

DATED this 12th day of August, 2005.


UNITED STATES DISTRICT JUDGE